

REMARKS

The Applicant respectfully requests the entry of these claim amendments in this application. The Applicant has filed a Request for Continued Examination along with this amendment in response to the Final Office Action. The Applicant thus submits the pending claims are in condition for allowance and respectfully solicits the issuance of the Formal Notice of Allowance for the pending claims.

The Final Office Action rejects all of the pending claims as being obvious in view of the combination of Weisburn '498 and Eskandry '013. The Applicant respectfully traverses the rejections.

The Final Office Action cites the cross section views of FIGS. 7-9 of Weisburn as disclosing a page edge having a V-shaped pocket that receives adhesive. The Applicant respectfully submits the page edges of Weisburn do not define the V-shaped pocket recited in pending claim 7. The Weisburn page edges are angled with the apex of the page facing the outwardly toward the spine. Although the Weisburn page edge may be considered to be V-shaped, the Weisburn page edge does not define a V-shaped pocket that can receive adhesive. The Applicant has amended claim 7 to recite the location of the apex of the V-shaped pocket to be between the first and second surfaces of the page. Claim 7 thus requires the entire V-shaped pocket to be defined by a single page edge. Weisburn does not disclose or suggest this limitation.

The Applicant respectfully traverses the combination of the Weisburn pages with the binding technique disclosed in Eskandry. The Weisburn page edges (#68) are inset from the outer surfaces of the Weisburn tabs (#94). The Weisburn edges (#68) thus cannot be directly connected to the inner surface of a spine with an adhesive as recited in the claims.

The Weisburn pages require the tabs (#94) to provide spaces for the hinges (#90) as shown in FIGS. 9 and 10. The page edges thus cannot be connected to the spine. Directly connecting the Weisburn edges (#68) to the spine with adhesive would destroy the function of the Weisburn hinges (#90) and would prevent the Weisburn device from operating in its intended manner. Further, the Weisburn tabs (#94) are designed to cam against each other as shown in FIGS. 7-9 when the Weisburn pages are turned. The Weisburn tabs cannot be connected to the spine without destroying the camming function of the Weisburn

tabs. In addition, Eskandry teaches the use of hinges (31, 61, and 63) to connect its pages to the spine. One of ordinary skill in the art would be led by the teachings of Eskandry to connect the Weisburn hinges 90 to the spine. This configuration would destroy the intended function of the Weisburn device. Further, this combination does not result in the claimed configuration wherein the edges of the pages are adhesively connected to the spine. In view of these differences, the Applicant submits the claims are patentable over the cited combination of references.

The Applicant has also amended claim 27 to define the relationship of the literature page and the page halves. Claim 27 requires the literature page to be pressed between the page halves. The Weisburn pages define a literature compartment that allows the literature to be slipped into and out of the compartment. The page halves of Weisburn thus do not press the literature between them. Claim 27 is thus patentable over the cited combination.

The Applicant also respectfully submits claim 11 is not a method claim. Claim 11 requires the page halves to be connected with a weld. A weld is a structural element that connects the two page halves. Claim 11 does not recite the step of welding. Claim 11 recites the structure of a weld.

In view of the foregoing, the Applicant respectfully requests reconsideration of the claims and most earnestly solicits the issuance of a formal notice of allowability for the claims.

Respectfully submitted by:



Fred H. Zollinger, III
Reg. No. 39,438
Zollinger & Burleson, Ltd.
P.O. Box 2368
North Canton, OH 44720